

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.08.2015

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH

W.P.No.5802 of 2015

and

M.P.No.1 of 2015

S.Hari Adithya

.. Petitioner

Vs

1. The Chairman,  
Board of Examinations,  
Department of Technical Education,  
Chennai - 25.
2. The Principal,  
Annai JK Sampoorani Ammal Polytechnic  
College, Thookanaickenpalayam Post,  
Gobi Taluk, Erode District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the first respondent to permit the petitioner to write the final year examination scheduled to be held on 07.04.2015 without insisting the attendance.

|                 |    |                             |
|-----------------|----|-----------------------------|
| For Petitioner  | .. | Mr.K.A.Mariappan            |
| For Respondents | .. | Mr.S.Diwakar,               |
|                 |    | Addl. Govt. Pleader for R1  |
|                 |    | Mr.Kandhan Duraisami for R2 |

ORDER

It appears that the son of the petitioner was suspended earlier. Consequently, he lost the attendance. When the matter is taken up for hearing, an undertaking has been filed by the mother of the petitioner, which reads as under:

"I, S.Vijayalakshmi, daughter of Sri.Chellaiya Hindu, aged about 50 years, residing at Health Sub-Centre quarters, Ariyakudi Post, Karaikudi Taluk, Sivagangai District do hereby solemnly affirm and sincerely state as follows:

I have gone through the letters written by my ward Hari Adithya who misbehaved during the last academic year and by writing this letter, I oblige

that any disciplinary action taken against my ward Hari Adithya in future, who was suspended from your college and readmitted, I will not claim any right against the institution."

2. Similarly, another undertaking has been filed by the petitioner, aged about 19 years, in the following manner:

"1. I will not indulge in any misbehaving activities as done earlier inside and outside the college premises.

2. I will obey all the rules and regulations of the college till my tenure.

3. I will attend the classes regularly without fail and if found irregular I will obey the actions taken by the institution in this regard and I will not claim any right against the institution."

3. Learned counsel appearing for the second respondent submitted that in view of the above undertaking, the petitioner would be readmitted and permitted to re-do the sixth semester.

4. Accordingly, the writ petition stands disposed of by recording the undertaking given by the petitioner as well as his mother and the statement made across the bar by the learned counsel for the second respondent. No costs. Consequently, connected miscellaneous petition is closed.

mmi

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

The Chairman,  
Board of Examinations,  
Department of Technical Education,  
Chennai - 25.

+ 1 cc to Mr. Muthumani Doraisami, Advocate SR 41470

+ 1 cc to Mr. K. A. Mariappan, Advocate SR 41667

+ 1 cc to Govt. Pleader SR 41586

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W.P.No.5802 of 2015